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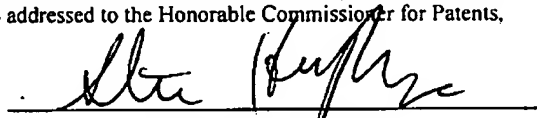
Dep/rel

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: MACPHERSON, James
SERIAL NO.: 09/716,189
FILED: November 17, 2000
FOR: System and Methods for Processing Mutual Fund Purchase and Redemption Orders
EXAMINER: GRAHAM, Clement B Group: 3692
DOCKET NO.: 309,396 (DT-3788)

Mail Stop 16
Director of the US Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

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Steven M. Hertzberg

REQUEST FOR REFUND

Dear Sir:

In accordance with the attached Decision on the Petition to Revive an Abandoned Application, a request for a refund in the amount of \$750.00 is respectfully requested. As noted

in the Decision, the Notice of Abandonment dated August 15, 2007, has been vacated and the holding of abandonment is withdrawn.

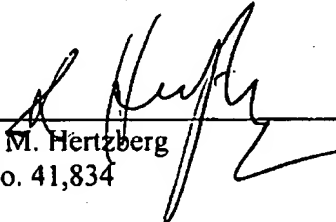
Adjustment Date: 07/15/2008
09/21/2007 WASFAW1 00000029 09716189
01 FC:2453 -750.00 OP
DHH:010935 Race/Number:09716189
FC: 9204 \$750.00 CR

The Decision was made in response to the Petition to Revive under 37 CFR 1.137(b) that was submitted to the USPTO on September 19, 2007. The Petition to Revive also included a check in the amount of \$750.00 for payment of the official USPTO fee. In the Decision it is stated that the Petition to Revive under 37 CFR 1.137(b) is dismissed as being moot. Accordingly, this Request for Refund in the amount of \$750.00 is for the official fee previously submitted with the Petition to Revive.

Please credit our Deposit Account No. 01-0035 in the amount of \$750.00.

All correspondence should continue to be directed to the address below.

Respectfully submitted,



Steven M. Hertzberg
Reg. No. 41,834

Abelman, Frayne & Schwab
666 Third Avenue, 10th Floor
New York, NY 10017-5621
Off: 212-885-9223
Fax: 212-949-9190

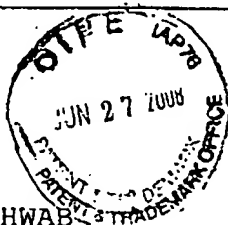


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DAVID TOREN, ESQ.
ABELMAN FRAYNE & SCHWAB
666 THIRD AVENUE
NEW YORK NY 10017-5621

In re Application of
MacPherson
Application No. 09/716,189
Filed: November 17, 2000
Docket No.: DT-3788



COPY MAILED
DUE BY

JUN 16 2008

DOCKETED ON 6/19/08

OFFICE OF PETITIONS

DOCKETED WITHOUT FILE

: DECISION ON PETITION AZ

This is a decision on the petition to revive the above-identified application under 37 CFR 1.137(b), filed September 19, 2007. This matter is also being treated as a petition to withdraw the holding of abandonment under 37 CFR 1.181. No fee has been charged in connection with this matter.

The Notice of Abandonment mailed August 15, 2007 indicated that this application was held abandoned for failure to timely submit a proper reply to the Notice of Noncompliant Amendment mailed June 22, 2007.

DECISION UNDER 37 CFR 1.181

The Notice of Noncompliant Amendment mailed June 22, 2007 required correction to drawings previously submitted by applicant. A review of the record and, further, consultation with the examiner of record on June 11, 2008 confirms that a timely response to the Notice of Noncompliant Amendment was filed June 30, 2007.

In view thereof, the petition to withdraw the holding of abandonment is hereby GRANTED.

The Notice of Abandonment is hereby VACATED and the holding of abandonment is WITHDRAWN.

DECISION UNDER 37 CFR 1.137(b)

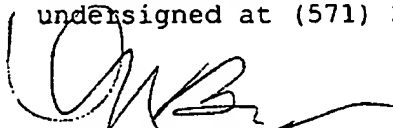
A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(1); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(c).

In view of the withdrawal of the holding of abandonment, the petition under 37 CFR 1.137(b) is DISMISSED AS MOOT.

No fee is due in connection with this matter. Petitioner is entitled to a refund of the \$750.00 petition fee previously submitted and may request a refund by writing to the Finance Office, Refund Section. A copy of this decision should accompany any request for refund.

This application is being forwarded to Group Art Unit 3692 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.



Alesia M. Brown
Petitions Attorney
Office of Petitions

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND			
1 Date of Request: <u>07/10/08</u>		2 Serial/Patent # <u>09/716189</u>	
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED
<input type="checkbox"/>	Filing		\$
<input type="checkbox"/>	Amendment		\$
<input type="checkbox"/>	Extension of Time		\$
<input type="checkbox"/>	Notice of Appeal/Appeal		\$
<input type="checkbox"/>	Petition		\$ 750
<input type="checkbox"/>	Issue		\$
<input type="checkbox"/>	Cert of Correction/Terminal Disc.		\$
<input type="checkbox"/>	Maintenance		\$
<input type="checkbox"/>	Assignment		\$
<input type="checkbox"/>	Other		\$
		7 TOTAL AMOUNT OF REFUND \$ <u>750</u>	
		8 TO BE REFUNDED BY:	
10 REASON:		<input type="checkbox"/> Treasury Check	
<input type="checkbox"/>	Overpayment	<input checked="" type="checkbox"/> Credit Deposit A/C #:	
<input type="checkbox"/>	Duplicate Payment	9 <u>011--0035</u>	
<input type="checkbox"/>	No Fee Due (Explanation):		
<u>Denied as mat 1.137(b).</u> <u>Granted 1.181 no fee required.</u>			
11 REFUND REQUESTED BY:			
TYPED/PRINTED NAME: <u>Karen Creasy</u>		TITLE: <u>Petitions Examiner</u>	
SIGNATURE: <u>/Karen Creasy/</u>		PHONE: <u>2-3208</u>	
OFFICE: <u>Petitions</u>			

THIS SPACE RESERVED FOR FINANCE USE ONLY:			
APPROVED: <u>CKK</u>		DATE: <u>7/11/08</u>	

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to: